

Message

From: Beck, Nancy [Beck.Nancy@epa.gov]
Sent: 11/20/2017 12:17:37 AM
To: Baptist, Erik [baptist.erik@epa.gov]; Dourson, Michael [dourson.michael@epa.gov]
CC: Sands, Jeffrey [sands.jeffrey@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]
Subject: RE: Briefing Document

Correct. Have you got a magic wand?

Clearly I was not on top of this and although staff seemed to be aware of it, nobody was doing anything about it..

Nancy B. Beck, Ph.D., DABT
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P: 202-564-1273

Ex. 6 Personal Privacy (PP)
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From: Baptist, Erik
Sent: Sunday, November 19, 2017 4:37 PM
To: Beck, Nancy <Beck.Nancy@epa.gov>; Dourson, Michael <dourson.michael@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>
Subject: RE: Briefing Document

Nancy,

How are we planning to extend those WPS compliance dates? I don't believe we already have a proposal pending, and we would still need to follow the FIFRA procedural requirements.

Erik Baptist
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From: Beck, Nancy
Sent: Saturday, November 18, 2017 3:48 PM
To: Baptist, Erik <baptist.erik@epa.gov>; Dourson, Michael <dourson.michael@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>
Subject: RE: Briefing Document

Nice job Jeff,

See my edits in the attached. Also looping in Ryan.

On the age issue—we can propose 2 options: removal of it completely and going back to the cooperative federalism approach as was done before (we never had an age requirement) or we can propose 16 as that is consistent with an

OSHA standard (but not because there is an OSHA standard as I don't think the OSHA standard really applies perfectly here, but does provide support—it's a bit apple and oranges. The OSHA standard of 16 refers to specific hazardous occupations in agriculture(<http://webapps.dol.gov/elaws/whd/flsa/docs/hazag.asp>) OSHA does mention younger ages as well so perhaps the cleanest is to simply remove the age restriction in WPS. I don't think USDA has an age standard

See here for other OSHA FLSA restrictions: <https://www.osha.gov/SLTC/youth/agriculture/other.html>.

Note at our PPDC public meeting, the discussion was some tweaks to get to 16, but not full removal. I think proposing both options may be best path forward

Also note that in our NASDA petition response we said we would extend compliance dates in WPS for everything that was changed in 2015—this is about 100 items. Everything except the exclusion zone for handlers and pesticide safety posters was effective Jan 2, 2017, these last 2 are effective Jan 2, 2018. I recommend that we only extend the compliance date for the 3 areas we are taking comment on.

See suggestions in the attached.

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From: Baptist, Erik
Sent: Saturday, November 18, 2017 10:45 AM
To: Dourson, Michael <dourson.michael@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
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One consideration that I've already raised with Jeff: if OSHA already regulates age, then perhaps EPA's age restrictions are superfluous and unnecessary. I would be reluctant to copying the OSHA's age restrictions; instead, it might be better to say whatever OSHA says is okay, EPA will permit.

Sent from my iPhone

On Nov 17, 2017, at 8:32 PM, Dourson, Michael <dourson.michael@epa.gov> wrote:

Jeff

Very nice. Only one comment and it is likely a misremembering on my part. A famous quote by Hemmingway (I believe) is that if "I had more time, I would have written less." Seems to apply here.

Cheers!

Michael

From: Sands, Jeffrey
Sent: Friday, November 17, 2017 6:05 PM
To: Beck, Nancy <Beck.Nancy@epa.gov>; Dourson, Michael <dourson.michael@epa.gov>; Baptist, Erik

<baptist.erik@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>

Subject: Briefing Document

All,

Please review attached document over the weekend and please provide feedback for edits. This should summarize and reflect development conversations over the past couple days.

Additionally, it looks like our opportunity to catch up Monday AM prior to will not work. Lets try to connect over the weekend to work through any relevant issues, if possible.

Thanks for your consideration and have a nice weekend.

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